Reply of Government.—This subject is connected with the last one and the member may communicate his views to the Law Associations in the State, which will be consulted in the matter.

SUBJECT No. 48.

Arrangement of the civil court records.

Mr. H. Gundappa, Kunigal Taluk.

Summary of discussion.—The new system of arranging the civil court records according to the date of final order causes considerable inconvenience. It is requested that the old method of having them arranged in the order of numbers of cases be revived.

Mr. C. Krishnamurti pointed out the difficulties involved in the new method of arranging civil court records according to the date of disposal.

Reply of Government.—The Chief Court are going to direct that the court staff shall note the date of disposal on the application for copies where this information is not furnished by the party himself. The matter is under the consideration of the Chief Court in connection with the revision of copying rules.

SUBJECT No. 49.

Records of munsiffs' courts to be sent to central records at the end of a year after disposal.

Messrs. K. Krishnachar, Seringapatam Taluk; and H. Gundappa, Kunigal Taluk.

Summary of discussion.—It was the old practice to detain records in the respective munsiffs' courts until the end of one year after the disposal of cases. But latterly the period of detention has been reduced to three months and this hinders the early return of exhibits to the parties when they apply for them, the getting of copies by parties as soon as they want them and the speedy reference to those records in the disposal of other cases; so the old practice may be revived.

Reply of Government.—The matter will be referred to the Chief Court to see if the old rule fixing the period as six months for all courts cannot be revived.

SUBJECT No. 50.

Judicial deposits and minors.

Mr. Singri Nanjappa, Tumkur District Board.

Summary of discussion.—Amounts decreed in civil courts on behalf of minors are kept in judicial deposit and for some reason or other it so happens that it cannot be claimed for a long time. It is urged that in such cases the amounts may be transferred to the accounts of the State Savings Bank and interest allowed on the deposit for the benefit of the minors concerned.

Reply of Government.—Will be considered in consultation with the Chief Court and the Financial Department.

SUBJECT No. 51.

Prevention of usurious rate of interest.

(1) Messrs. Venkatsamaiya, E. Rama Rao and Padmanna, Nanjangud Taluk.
(2) Messrs. Krishnachar, Goribidnur Taluk; and Subbarayappa, Chikballapur Taluk.

Summary of discussion.—As many persons are ruined by the usurious rate of interest charged by money-lenders, courts should be authorized to refuse all claims for interest exceeding 12 per cent.

When people are in difficulties, they borrow money sometimes promising to pay Re. 0-8-0 a week for Rs. 20. This enables the merciless money-lenders to harass and ruin the debtors. An order may be passed

requiring all courts not to allow more than 24 per cent interest in all such cases.

(2) Labbe merchants may be ordered to levy only a reasonable rate of interest on sums lent by them, as their present rate is ruinous and prohibitive.

Mr. Nadig Guru Rao, speaking on the representation, requested that foreigners trading in Mysore should not be allowed to lend money at usurious rates of interest to the people of Mysore.

Reply of Government.—The amendment of Section 74 of the Contract Act in accordance with the amendment adopted in British India is under consideration. We cannot go further and regulate the term of contract.

SUBJECT No. 52.

The Central Nazarath.

(1) and (2) Messrs. S. R. Balakrishna Rao, Nagar Sabha; and K. Shankaranarayana Rao, Shimoga Municipality.
(1) Messrs. V. Raghavachar and Syed Mohadeen Sab, Mysore Taluk.

Summary of discussion.—(1) The Central Nazarath System has had a long trial and has not been found to work satisfactorily. The two or three courts whose processes are served by the Nazarath have no control over it. The hard and fast rule of prescribing fixed periods for serving processes in different localities makes the working altogether mechanical and leaves no room for the early posting of cases. The inconveniences of this system have been repeatedly represented to the Chief Court and Government. The system may be abolished early.

(2) The rule whereby the parties are required to deposit fresh batta, whether the previously paid deposit was spent or not, works hardship on the parties. A certificate may be caused to be attached on each process whether the batta has been actually spent or not. If it is known when the case is taken up that the batta was not spent, the party will simply pay the process fee and request that the unspent batta may be utilised.

Reply of Government.—It has been decided that the Process Establishment at Bangalore, Mysore and Shimoga, should be handed over to the munsiffs at these stations. Revised Process Rules consequent on this change are under consideration.

SUBJECT No. 53.

Service of sale notifications.

Mr. B. Narasinga Rao, Seringapatam Municipality.

Summary of discussion.—In many instances properties are sold in civil courts without the knowledge of the judgment-debtors. Such persons will have no opportunity to take the aid of the provisions of Section 310A of the Civil Procedure Code It is therefore prayed that the Chief Court may be requested to include a rule directing a copy of the sale notification to be served on the judgment-debtors under the new Civil Procedure Code.

Messrs. C. Krishnamurti of the Bangalore Law Association, and S. R. Balakrishna Rao of the Nagar Sabha also spoke in favour of the representation.